

II. REMOVAL FROM OKLAHOMA STATE COURT TO FEDERAL COURT

4. Section 1441(a) provides that “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant . . . to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a). Section 1332(a) provides that federal district courts “shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between . . . citizens of different States.” *Id.* § 1332(a).

III. DIVERSITY OF CITIZENSHIP

5. This action involves citizens of different states. Plaintiffs state that at all relevant times, they were residents of Oklahoma City, Oklahoma, located in Oklahoma County, Oklahoma. Petition, ¶1 [Ex. 2].

6. BBC is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business in Pennsylvania. See BBC Entity Details, State of Delaware [Ex. 4]. As such, for the purposes of this litigation, BBC is a citizen of Delaware and complete diversity exists. The sole member of BBC is Balfour Beatty Military Housing Investments LLC, which is owned by Balfour Beatty Communities, LLC, which is owned by Balfour Beatty LLC, which is owned by Balfour Beatty Holdings, Inc., all of which are Delaware corporations.

IV. AMOUNT IN CONTROVERSY

7. Plaintiffs allege they have actual damages in excess of \$75,000.00. Petition [Ex. 2]. Thus, the amount in controversy is above the necessary jurisdictional amount.

V. TIMELINESS OF REMOVAL

8. Section 1446(b)(3) provides a notice of removal may be filed within thirty (30) days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.

9. Contemporaneous with the filing of this Notice of Removal, BBC will give written notice thereof to Plaintiffs and file a copy of the Notice of Removal with the Clerk of the District Court of Oklahoma County, Oklahoma.

WHEREFORE, for all the foregoing reasons, this case is removable pursuant to 28 U.S.C. § 1441(a) because this action is between citizens of foreign states and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

Respectfully submitted,

s/ W. Brett Willis

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BBC AF MANAGEMENT/

DEVELOPMENT LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of April, 2021 I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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s/ W. Brett Willis

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